

WANTS TO KNOW WHY

A Colored Democrat Removed From Office Asks Reasons Therefor.

HE CONTESTS MR. COULTER'S RIGHT

To Demand His Resignation for Attorney Political Purposes.

THE BASIS OF MR. SMITH'S CLAIM

In One Section of the Civil Service Act Restricting Removals.

The application of H. C. Smith, a removed colored Democratic officeholder, is unique. He asks the Civil Service Commission to reinstate him and punish the head of the bureau who removed him. No such case has heretofore been heard.

SPECIAL TELEGRAM TO THE DISPATCH.

WASHINGTON, July 23.—H. C. Smith, the colored Democratic lawyer who was recently removed from the office of the Sixth Auditor, announces that it is his intention to contest the right of the auditor to remove him. Mr. Smith's point is that the removal is in violation of the civil service act, because it was avowedly made for political reasons.

It has generally been assumed that the civil service act confers no authority upon the Commissioners to restrict removals from office, and that it only gives them jurisdiction over appointments. There is one section in the law, however, upon which it is understood that Mr. Smith hopes to be able to base his claim. This is section 13 of the civil service act, which reads as follows:

No officer or employee of the United States mentioned in this act shall discharge, or promote, or aid, or in any manner change the official rank or compensation of any other officer or employee, or prevent or threaten to do so, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose.

A HEAVY PENALTY ATTACHED.

Mr. Smith claims that the penalty for the violation of this provision is set forth in section 13, which is the last of the original act, and which reads as follows:

Any person who shall be guilty of violating any provision of the foregoing section will be deemed guilty of a misdemeanor, and, on conviction thereof, be punished by a fine not exceeding \$500, or by imprisonment for a term not exceeding three years, or by such fine and imprisonment both at the discretion of the court.

There is only one other provision in the civil service act that could be construed to refer to removals from office, or be a restriction in any way upon the appointing power under this law. That is a clause in section 7, which is as follows:

But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service, or preference conferred by the 1754th section of the Revised Statutes, nor to take from the President any authority not inconsistent with the act conferred by the 1754th section of said statutes.

SMITH NOT A VETERAN.

These sections of the Revised Statutes provide that in making appointments, other things being equal, preference shall be given to honorably discharged soldiers and sailors of the United States. Mr. Smith cannot take any advantage of these restrictions upon the appointing or removal power, for it is not claimed that he was in the United States service during the war.

If Mr. Smith can make good his claim that his case is a violation of statute 13, it would seem that a good many officers might be deposed and better officers might be appointed. The case of Mr. Smith is a violation of the law because of the reductions which have been made in the service since the 4th of March, or especially since the beginning of the fiscal year.

The charge has been made that Republican Congressmen have made it their business to hunt out the Democratic appointees in their districts, and to hint to bureau officers that it would be well to reduce their salaries if it was expedient to remove them. The theory has been that this would force the Democratic clerks to resign, or make vacancies in the higher grades for Republicans.

DETAILS OF THE CASE.

The circumstances in the case of H. C. Smith are these: Smith was employed by the Civil Service Commission at Nashville, Tenn., March 7, 1884. He passed the examination with the rating necessary to place him on the eligible list, and on July 22, 1884, was appointed a clerk of class 1, in the office of the Sixth Auditor of the Treasury. He came into the public service under the Arthur administration, served on the Cleveland administration, and has remained in office about four months under President Harrison. He was dismissed from the service by the following notice:

To H. C. Smith, Esq.,
I respectfully ask your resignation, to take effect Monday, July 16, 1889.
Respectfully,
R. COULTER, Auditor.

Smith's account of what followed the receipt of this note is this: He went to Auditor Coulter and, by profession and request, and particularly desired to know whether any charges had been filed against him on account of his character. He was informed that no charges had been filed. Auditor Coulter voluntarily added the following statement:

WHY SMITH WAS BOUNCED.

We want your place. You see, the old soldiers are clamoring for place, and we cannot put them off any longer, so you had better resign, and in your resignation, to take effect July 16.

Smith then resigned, stating his resignation, however, to be without prejudice. This is the indictment which he expects to bring against the Sixth Auditor before the Civil Service Commission. He insists that the Auditor Coulter voluntarily added the following statement:

THE CASE INVOLVING EXACTLY THIS POINT has not been decided by the Civil Service Commission. Smith's lawyer, by profession and is said to have been an active worker for Cleveland and Thurman in the last Presidential campaign.

"We shall not have anything to say about this case until it comes before us," said Mr. Lyman, Chairman of the Civil Service Commission; "but," he added, "it is the duty of the public press to show that the case is involving exactly this point has not been decided by the Civil Service Commission. Smith's lawyer, by profession and is said to have been an active worker for Cleveland and Thurman in the last Presidential campaign.

IT HAS NOT BEEN THE CUSTOM of the commission to inquire into cases of removals from office. It has been as much as the commission could, well attend to, to see that the civil service act was strictly observed in appointments. There are specified causes under the law where it is made the duty of the commission to take jurisdiction in the matter of removals. It remains to be seen whether the case of Smith is one. He seems to make his claim under section 13 only, as he was manifestly not a soldier. There have been hundreds of applications to the commission to interfere in the matter of removals, but it has not generally been any other of substantial proof to show that the law has been violated. Once, in a Cincinnati case, the commission wrote a letter to the Chairman of the Local Board of Examiners in reference to a state solicitor similar to that alleged to exist in this case.

MAY NOT PRESS THE CASE.

President Lyman did not wish to make any further reference to this letter and declined to make it public, saying: "It is not certain that Smith will press the case, for it now appears that he did not wait to be removed, but complied with the request to tender his resignation."

The exception in the civil service rules under which the appointment of a confidential clerk is permitted without examination has been carried to a great extreme. This provision may be used to successfully evade the civil service act, and to place in the highest grade clerks who have not passed an examination. An instance of

this sort has just occurred in the Treasury Department, in the bureau of the newly appointed First Controller, Mr. Matthews. An \$1,800 clerk in this office applied to be appointed chief of a division. His application was supported by a long list of influential Republican names, and was favorably received. Unfortunately for the applicant, there was an old clerk near to the First Controller who

HAD A LONG MEMORY.

An examination of the records of the office showed that the clerk making the application had, at the beginning of the Cleveland administration, a similar petition signed by influential Democrats.

This applicant was not promoted, but he was not discharged. He was reduced, however, from a salary of \$1,800 to a \$1,600 grade. The clerk holding the \$1,600 position was reduced to the \$1,400 grade. This reduction, it is asserted, took effect all down the list of the classified service in that bureau, until a \$1,000 clerk was reduced to \$800. The one below him is believed to have been dropped from the service, thus creating a vacancy in the line. Then the new confidential clerk of the First Controller was appointed to the \$1,800 vacancy thus created, without having passed the civil service examination.

THE NORMONS A BONE

Over Which the Idaho Convention Divides Politically.

BOISE CITY, July 23.—The convention yesterday agreed to limit the State indebtedness to one and one-half percentum of assessed value of property. Towns and cities are in the eyes of anti-Mormons above revenue, to co-operate with capital in making improvements. Some days ago the Committee on Elections and Suffrage made a majority and minority report; the former by the Republicans and the latter by the Democrats. The majority report recommended that the State should be allowed to borrow money to make new limits and other limits and terms for preventing the vote of persons holding higher allegiance to the State and the United States Government. The minority report is so framed as to cut off legislation in the eyes of anti-Mormons leave a loophole through which the Mormons may crawl and secure the control of the political power. A proposition to take these reports up in the Committee of the Whole caused some filibustering which blocked all business for some time. The matter was finally settled by an agreement to consider the reports tomorrow. Hundreds of Mormons withdrew last fall to evade the test oath and vote, and this makes the anti-Mormons anxious to give the Legislature the power to make new limits and restrictions that the Mormon Church, now colonizing a portion of Idaho, may not participate in politics. This question has caused the chief trouble during the convention.

NO BLUE LAWS FOR HIS HONOR.

Ice Cream May Be Sold With Impunity in Cincinnati on Sunday.

CINCINNATI, July 23.—When George Muth, confederator, was brought before Judge Ormiston of the Police Court yesterday for selling ice cream last Sunday he pleaded guilty. The prosecutor suggested that the court regard that plea as a demurrer and the court accepted the suggestion.

His Honor then went on to say that the use of ice cream had grown to such an extent that it was no longer to be classed as a luxury, and in the liberal view of the court was inclined to take of the statute its sale on Sunday could easily be regarded as a necessity. "Certainly," said his Honor, "no man is to be punished for selling ice cream to go home, beat his wife and break up the furniture, and I have no sympathy with the effort of saloon men to make the law against them odious by putting upon enforcement of the common labor law." Mr. Muth was dismissed.

WHISKY MAKES TROUBLE.

Men Prosecuted for Illicit Manufacture Allege Conspiracy.

CHICAGO, July 23.—Some time ago Attorney Herman Jacobson prosecuted a number of men who were confederated in the manufacture of illicit whisky. These men subsequently brought charges against him before the Federal Court. Jacobson now says the charges were trumped up and that they were investigated by Deputy United States Collector Jones, and Revenue Agent W. L. Berlingham. He declares that witnesses were bribed to testify against him. He asserts that he laid the matter before Senator Farwell, who has preferred a formal complaint in the Interior Department at Washington.

SEEKERS AFTER FUEL GAS.

A Popular Movement at Wheeling to Develop That Locality.

WHEELING, July 23.—About 3,000 citizens have signed the petitions addressed to the City Council and the Board of County Commissioners asking an appropriation of \$10,000 from each of these bodies as a contribution to the capital stock of Wheeling Development Company, organized for the purpose of making a thorough test of the territory in the immediate vicinity of this city for natural gas. It is likely the contributions will be made.

Minister Terrell Is All Right.

WASHINGTON, July 23.—A letter just received from Brussels states that all effects of the injury to Minister Terrell's knee, which it was feared, would prove serious, have entirely disappeared and he has recovered full use of the limb. Ex-Minister Parkhurst has surrendered the legation building to the new Minister, and Mr. Terrell was expected at the date the letter was written to be presented to the King in a few days.

Terra Cotta Clay in Kansas.

CHICAGO, July 23.—A dispatch from Topeka, Kansas, says: Discovery has been made that a farm directly west of this city contains a fine bed of terra cotta clay. Beds in New Jersey and Ohio have prior to this time furnished all the terra cotta works with clay. This industry, when properly developed, will be worth to the city about \$500,000 annually.

Noble Can Rank the Work.

WASHINGTON, July 23.—The last act of Congress appropriating funds for the compilation and publication of the records of the rebellion provided that they should be completed in five years. Secretary Prector says that if Congress will give him money enough he will have the work of his hands when this Administration closes.

A TIMELY CUP OF SANFORD'S GINGER

For the stomach's sake, a little SANFORD'S GINGER at this season of the year is most imperatively demanded by every one, because it is sure to check every disturbance of the stomach and bowels, by whatsoever caused. It prevents indigestion, flatulency and colic. It destroys disease germs in water drunk. It restores the circulation and digestion when suspended by a chill—a cause of cholera.

It breaks up colds and simple fevers, and is sure to ward off malarial influences. It promotes sleep and allays nervousness. It is the best of traveling companions. It is unrivaled as a summer medicine, and is the finest Ginger in the world. Beware of cheap, worthless, and often dangerous "gingers" urged as substitutes. Ask for

SANFORD'S GINGER

With Owl Trade Mark on the Wrapper.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

At the Best of all known Gingers.

AWAITING ENGLAND'S ACT

She Hasn't Accepted the Invitation to Our Maritime Conference, and Others Are Holding Back to See What She Will Do.

WASHINGTON, July 23.—Mr. Wharton, acting Secretary of State, said to an Associated Press reporter to-day, speaking of the statement made in the House of Commons yesterday by Sir James Ferguson, parliamentary secretary for the foreign office, that no agreement has yet been made with the American Government for the programme of the maritime conference to be held in Washington, October 16 next, that it referred only to the routine of the conference. England has accepted the invitation of the United States to participate in the conference. Mr. Wharton said, with the proviso that the programme of subjects to be discussed was satisfactory. This programme has been drawn up by the commissioners of the United States, headed by Admiral Franklin, and submitted to the English Government. No answer has yet been received. The programme covers a great many subjects under the general head of navigation of vessels, for the regulation of which the conference was called. It can be modified, probably will be, as it is largely suggestive in character. There is no reason to suppose, Mr. Wharton says, that England will not take part in the conference. Several nations, however, have not yet accepted the invitation to send commissioners, and are probably waiting until England takes final action in the premises.

Chief Justice Fuller Sits.

CHICAGO, July 23.—Chief Justice Fuller and Judge Jackson sat with Judge Graham in the United States Court. The matter on hearing was the application of M. Walter T. Malati, receiver, who petitioned in the suit of the Farmers' Loan and Trust Company and the Chicago and Atlantic Railway, that \$500,000 be borrowed on the receiver's certificate, to be applied in repairs to the road. The application was before Judge Graham, who, as a Justice of the United States, invited the Chief Justice and Judge Jackson to sit with him during the hearing.

Cure every case of torturing, humbling, itching, burning, scaly, and pimply skin.

The skin, scalp, and blood, with loss of hair, and all humors, blotches, eruptions, rashes, scales, and crusts, whether simple, scrofulous, or contagious, when physicians and all known remedies fail. Solid everywhere. Price, CUTICURA, 50c; SOAP, 25c; RESOLVENT, 5c. Prepared by the CUTICURA MEDICINE CO., BOSTON.

Send for "How to Cure Skin Diseases," 64 pages, illustrated, and testimonials.

BABY'S Skin and Scalp preserved and beautified by CUTICURA SOAP.

Absolutely pure.

PAIN AND WEAKNESS.

Of females instantly relieved by that famous, elegant and reliable medicine, the CUTICURA Anti-Pain Plaster. The first and only plaster of its kind.

FOR A Handsome Photograph.

Of yourself go to the Photo-Gallery, 510 Market st., Pittsburgh, or bring the photo. Elevator. Cabinets only \$1 a dozen.

BORSFORD'S ACID PHOSPHATE.

Makes Delicious Lemonade.

A teaspoonful added to a glass of hot or cold water, and sweetened to the taste, will be found refreshing and invigorating.

ROCKAWAY BAKING POWDER.

Absolutely Pure.

This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kind, and cannot be sold in competition with the multitude of low cost, short weight, alum or phosphate powders. Beware of cheap imitations. BAKING POWDER CO., 106 WALL ST., N. Y.

BLOOMER'S DUTCH COCOA.

MADE INSTANTLY with boiling water or milk.

NO COOKING REQUIRED!

Bloomer's Dutch Cocoa received the ONLY DIPLOMA at the Pure Food Exhibition, Philadelphia, March, 1893.

Sold by George K. Stevenson & Co., and all leading grocers and druggists at \$1 per lb. tin.

THE POLYGRAPHIC MEDICAL INSTITUTE, 105 THIRD AVE., NEW YORK.

DEPT. 35, MERCER ST., NEW YORK.

It Might Have Been Worse.

Not long since, Mr. Charles M. Eichenlaub, an Allegheny citizen, who lives at 189 Federal street, was made to fully realize the fact that the aches and pains he experienced in different parts of his body were not without a cause. The high-colored urine, pain across the small of his back and kidneys, together with other unmistakable signs, warned him that his condition was fast approaching Bright's disease. The sharp, burning pain in his feet gave him little relief. In fact, his disease grew from bad to worse, until he was unable to walk, and his feet were swollen and burning with pain. He also frequently felt pain under his shoulder blades and different parts of his body. He lost his appetite, and he felt, bloated, feeble, and weary. As the little food he ate fermented in his stomach he had much eructation of gas. After taking six weeks' treatment at the POLYGRAPHIC MEDICAL INSTITUTE, at 420 Penn avenue, his aches and pains all left him, his appetite came back, his stomach performs its function properly, and he feels well and hearty and is able to attend to his business every day. He further states: "It gives me pleasure to state to my many friends, and the people generally, that although my disease was chronic and of long standing, I have been entirely cured of my kidney disease and rheumatism by the physicians and specialists for these diseases at No. 420 Penn avenue."

"CHAS. M. EICHENLAUB."

Office hours at the institute, 10 to 11:30 A. M., 1 to 2 P. M., and 7 to 9 P. M., Sundays, 10 to 1 P. M.

Consultation free.

Barometers, Thermometers and Hydrometers, Medical Batteries, Photographic Cameras. The largest stock of Artificial Eyes. Every style of American and European Patent Eye-Glasses and Spectacle Frames. Lenses of superior quality. The only establishment in Pittsburgh.

BLUM'S OPTICAL ESTABLISHMENT, 50 Fifth ave., near Wood St. Telephone No. 1595.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

Consultation free.

NEW ADVERTISEMENTS.

BEST IN THE WORLD.

Further Great Cures of Skin Diseases by the CUTICURA Remedies.

Boy one year and a half old. Face and body in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I have used your CUTICURA REMEDIES in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I took him to the Massena Sulphur Springs, but it did not improve any. I was then advised to try the CUTICURA REMEDIES, which I did. He took one and one-half bottles of CUTICURA, and his skin was as smooth as could be, and is to-day. I used the CUTICURA on his sores and the CUTICURA SOAP on his skin. He is now five years of age, and all right. The other case was a disease of CUTICURA REMEDIES, when his skin was in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I have used your CUTICURA REMEDIES in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I took him to the Massena Sulphur Springs, but it did not improve any. I was then advised to try the CUTICURA REMEDIES, which I did. He took one and one-half bottles of CUTICURA, and his skin was as smooth as could be, and is to-day. I used the CUTICURA on his sores and the CUTICURA SOAP on his skin. He is now five years of age, and all right. The other case was a disease of CUTICURA REMEDIES, when his skin was in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I have used your CUTICURA REMEDIES in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I took him to the Massena Sulphur Springs, but it did not improve any. I was then advised to try the CUTICURA REMEDIES, which I did. He took one and one-half bottles of CUTICURA, and his skin was as smooth as could be, and is to-day. I used the CUTICURA on his sores and the CUTICURA SOAP on his skin. He is now five years of age, and all right. The other case was a disease of CUTICURA REMEDIES, when his skin was in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I have used your CUTICURA REMEDIES in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I took him to the Massena Sulphur Springs, but it did not improve any. I was then advised to try the CUTICURA REMEDIES, which I did. He took one and one-half bottles of CUTICURA, and his skin was as smooth as could be, and is to-day. I used the CUTICURA on his sores and the CUTICURA SOAP on his skin. He is now five years of age, and all right. The other case was a disease of CUTICURA REMEDIES, when his skin was in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I have used your CUTICURA REMEDIES in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I took him to the Massena Sulphur Springs, but it did not improve any. I was then advised to try the CUTICURA REMEDIES, which I did. He took one and one-half bottles of CUTICURA, and his skin was as smooth as could be, and is to-day. I used the CUTICURA on his sores and the CUTICURA SOAP on his skin. He is now five years of age, and all right. The other case was a disease of CUTICURA REMEDIES, when his skin was in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I have used your CUTICURA REMEDIES in two cases where it proved to be successful. The first was in the case of a boy a year and a half old. His face and body were in a terrible condition, being covered with sores. Sulphur springs fail. Cured by CUTICURA Remedies.

I took him to the Massena Sulphur Springs, but it did not improve any. I was then advised to try the CUTICURA REMEDIES, which I did. He took one and one-half bottles of CUTICURA, and his skin was as smooth as could be, and is to-day. I used the CUTICURA on his sores and the CUTICURA SOAP on his skin. He is now five years of age, and all right. The other case was a disease of CUT